



September 16, 2015

The Honorable Tom Wheeler, Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: MB Docket No. 15-149, Submitting Party – Herring Networks, Inc., dba One America News Network and AWE.

Comments in Support of Application of Charter Communications, Inc., Time Warner Cable Inc. and Advance / Newhouse Partnership for Consent to Transfer Control of Licenses and Authorizations (The Charter - TWC Merger).

Dear Chairman Wheeler:

I am writing on behalf of Herring Networks, Inc. (Herring) in support of the proposed Charter - TWC merger.

Herring is a national independent and family owned cable programming company, which owns and operates two national cable services, namely AWE, a 24/7 lifestyle and entertainment channel, and One America News Network (OAN), a credible source of national and international news, 24/7.

Over the last several years, Charter has demonstrated a pattern and practice of extending fair carriage consideration to independent programming services. A number of independent programming networks have received carriage from Charter, including AWE. We speak regularly with nearly all of the other independent networks, and we have not heard of any formal or informal complaints against Charter. That record should speak volumes about the character and approach of the company when it comes to relations with independents, who typically lack the heft, scale, and negotiating leverage of larger programming entities. Our experiences have been favorable and positive, and there is no reason why we wouldn't expect that to continue under the "New Charter" regime.

Herring Networks, Inc.

DBA: One America News Network & AWE

4757 Morena Blvd
San Diego, CA 92117
Phone: (858) 270-6900



A key fact that warrants highlighting is that Charter does not own any national programming networks and thus must rely on the open market to establish and maintain a competitive video lineup. Historically, independent programmers have experienced anti-competitive behavior, filed complaints, and opposed mergers when MVPDs own significant national program holdings which leads to the natural tendency to favor their own programming over services offered in the market. Charter, without any national programming interests of its own, affords considerable opportunities to independent programmers. Decisions are based on the merits of the service, rather than common ownership. The key fact that Charter must rely on the marketplace for an on-going competitive lineup is quite significant for independent networks in the market.

We understand that the New Charter entity will rank third based on video customers, behind both AT&T and Comcast. New Charter will provide service to just under 20 million internet, 17 million video and 9 million voice customers, which represents 17% of national MVPD video subscribers and less than 30% of national broadband subscribers at 25 Mbps and above today. New Charter will have sufficient size to compete in the marketplace, further off-setting the strengths of AT&T and Comcast inherent with size. The market place will be better served with three large MVPDs rather than two.

Over the last several years, with new and proven senior management in place, Charter has made a number of significant improvements benefiting consumers. We are encouraged by the New Charter's plans to deploy a cloud-based, user friendly guide that works on old and new set-top boxes so all customers can benefit without the disruption and expense of purchasing a new set-top box. The implementation of advancing technologies will create opportunities for independent networks, especially as bandwidth constraints limiting the ability to carry additional services are reduced. Charter's focus on providing value to the customer will benefit consumers as TWC and Newhouse / Brighthouse customers make the transition to Charter's new services.

These factors, among others, lead us to conclude that the proposed Charter - TWC merger will be beneficial for consumers, favorable for independent programmers, and consistent with the public interest, which the Commission is bound to advance.

We appreciate the opportunity to submit these remarks for the record, and stand ready to provide any additional information, data or testimony you may require.

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Respectfully submitted,

A handwritten signature in blue ink that reads "Charles Herring". The signature is fluid and cursive, with the first name "Charles" and last name "Herring" clearly distinguishable.

Charles Herring
President
Herring Networks, Inc.

Originals To:

FCC Commissioner Mignon Clyburn
FCC Commissioner Jessica Rosenwerfel
FCC Commissioner Ajit Pai
FCC Commissioner Michael O'Rielly

Copies To:

Marlene Dortch, Secretary of the FCC, Marlene.Dortch@fcc.gov
Vanessa Lemme, Media Bureau, Vanessa.Lemme@fcc.gov
Ty Bream, Media Bureau, Ty.Bream@fcc.gov
Elizabeth McIntyre, Wireline Competition Bureau, Elizabeth.McIntyre@fcc.gov
Adam Copeland, Wireline Competition Bureau, Adam.Copeland@fcc.gov
Jim Bird, Office of General Counsel, Jim.Bird@fcc.gov

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